

**WILLIAMSBURG PLANNING COMMISSION
MINUTES
Wednesday, May 14, 2003**

The regular monthly meeting of the Williamsburg Planning Commission was held on Wednesday, May 14, 2003, at 3:30 p.m. in the Council Chambers at the Stryker Building.

CALL TO ORDER and ATTENDANCE

Chairman Freiling called the meeting to order. Present in addition to Mr. Freiling were Commissioners Friend, McBeth, and Pons. Commissioners Hertzler, Smith and Young were absent. Also present were City Attorney Phillips, Planning Director Nester, Zoning Administrator Murphy and Secretary Scott.

MINUTES

Mr. Friend moved that the minutes of the April 16 regular meeting be approved. Mrs. McBeth seconded the motion which carried by roll call vote of 4-0.

CONSENT AGENDA

There were no cases on the consent agenda this month.

PUBLIC HEARINGS

PCR #03-07: Request of New Town United Methodist Church for a special use permit to locate a church at 309 Waltz Farm Drive, the present site of the Williamsburg Christian Academy. The property is zoned RS-2 Single Family Dwelling District, and is identified as Williamsburg Tax Map No. 281-(03)-00-A. The Commission recommended approval with contingencies to City Council by a vote of 4-0.

Mr. Nester reviewed the memorandum dated May 7, 2003 noting that the Williamsburg Christian Academy has been at this site since 1992, and New Town United Methodist Church has been holding church services in the school gymnasium since February 2000. The existing four classroom trailers will be removed by June 30, 2003 reducing the impact on adjacent property owners. The impact will also be reduced because there will no longer be school buses and other traffic accompanying school usage of the facilities. New Town will need to use the facility for a period of three years, ending in November, 2006, when their permanent structure on Monticello Avenue is due to be completed. The Zoning Ordinance requires 49 parking spaces and the church proposes a total of 107 with the addition of a mulched lot with landscape timbers surrounding it. A waiver for this parking area is necessary because it will not be gravel, which is the required material for overflow parking. Mr. Nester said that staff feels that the waiver is justified because the use of the parking area will be discontinued when the church use of the property ends in November 2006, and utilizing a mulch surface will reduce stormwater runoff from the property compared to a gravel lot, and will allow the easy

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restoration of the parking area to a grass area when the church use of the property is finished.

Commission comments included:

- The addition of any trailers in the future will be opposed.
- Staff knows of no problems associated with traffic to the site and feels the change will not create any additional traffic issues.
- Another mulched lot was on the corner across from the Library and was a temporary parking area used on a daily basis.
- Because the parking area will be turned back to grass in 2006, why not pave the area? Paving the area may not be the best approach since the next tenant may not need the additional parking space.

Chairman Freiling opened the public hearing.

Norman Mason, LandMark Design Group, representing the applicant, said no major change in use of the facility is anticipated; some of the evening activities may even be less than what the school had. They don't anticipate the church to be a burden on the neighborhood.

There being no additional comment the public hearing was closed.

Mr. Pons moved that the Planning Commission recommend to City Council that the special use permit for New Town United Methodist Church be approved, contingent upon the following:

1. Approval is for a period of three years, from November 1, 2003 to November 1, 2006.
2. A waiver to the site plan requirements is approved to allow the overflow parking area to be constructed with a mulched surface instead of the required gravel surface. The overflow parking area shall be constructed in accordance with the site plan entitled "TEMPORARY OVERFLOW PARKING, NEWTOWN METHODIST CHURCH," which includes the stabilization of existing denuded areas.
3. The overflow parking area shall be removed and planted with grass or other groundcover acceptable to the Zoning Administrator upon the termination of use of the site by the New Town United Methodist Church.
4. The location of the overflow parking area shall be approved by Virginia Power and the Newport News Waterworks prior to construction, since it is located within their easements.
5. Resolution of minor engineering details shall be approved by City Staff.

Mr. Friend seconded the motion which carried by roll call vote of 4-0.

Recorded vote on the motion:

Aye:	Freiling, Friend, McBeth, Pons
No:	None

Absent: Young, Smith, Hertzler

PCR #03-08: Request of the Colonial Williamsburg Foundation to amend Chapter 21, Zoning, Sec. 21-432(7), Permitted uses in the Museum Support District MS, by adding “interpretative areas for educational programs and historical presentations.” It is proposed to establish an interpretative area named “Great Hopes Plantation” south and west of the pedestrian walkway just beyond the new pedestrian bridge over Visitor Center Drive. The Commission recommended approval to City Council by a vote of 3-0-1.

Mr. Nester reviewed the request of the Colonial Williamsburg Foundation for the amendment noting that currently interpretative areas are not allowed in the MS district.

There was discussion among Commissioners regarding whether adding this use as a permitted use by right or one requiring a special use permit was most appropriate. Also raised was the question of why not rezone this specific spot. Mr. Nester responded that although these are valid options, he believes the amendment is more akin to the uses that are permitted by right. He added that if the Commission would like to consider it as a use requiring a special use permit or a rezoning request, different applications would be needed and appropriate public hearings held.

Chairman Freiling opened the public hearing.

Rex Ellis, 4329 Landfall Drive, Vice President of the Historic Area, spoke in support of the project which will tell guests of the Foundation the important story of slavery and the African American experience. In preparation for hearing about 18th century life, this site will help demonstrate the rural experience of “the other half of the 18th century population” and how this part of the population fits into the story of Colonial Williamsburg.

There being no additional comment the public hearing was closed.

Mr. Pons stated that the IDA contributed to this project and is pleased to see Colonial Williamsburg pursuing it. Both Mr. Pons and Mrs. McBeth again asked about having this use permitted as a special use permit or rezone the area to CW District and how it could be accomplished without holding up the project.

Andy Hungerman, Colonial Williamsburg Vice President of Operations, said that timing is very important for this project and the Foundation would like to have the site ready for visitors as soon as possible. He continued by saying that the shaky economy the last few years has increased the importance of opening this interpretive area.

Mr. Friend moved that the Commission recommend to City Council that the MS District be amended to add as a permitted use: *Interpretative areas for education programs and historical presentations, consisting of reconstructions of buildings and accessory*

buildings constructed prior to the year 1800, and/or the use of land for uses which existed in the Williamsburg area prior to the year 1800, based on documented historical evidence, and as further detailed in the proposed ordinance.

Mrs. McBeth seconded the motion which carried by roll call vote of 3-0-1.

Recorded vote on the motion:

Aye:	Friend, McBeth, Pons
No:	None
Abstain:	Freiling
Absent:	Smith, Young, Hertzler

OPEN FORUM

Chairman Freiling opened the Open Forum portion of the meeting encouraging comments from the audience on any topic.

There being no comment the Open Forum portion of the meeting was closed.

SITE PLANS AND SUBDIVISIONS

SPR #03-06: Colonial Williamsburg Foundation - Construct Great Hopes Plantation at 100 Visitor Center Drive. The site will contain a slave house, smokehouse, corn crib, kitchen, planter's house, and tobacco barn with an orchard and corn field. The property is zoned Museum Support District MS. The Commission approved the site plan with contingencies by a roll call vote of 3-0-1.

Mrs. Murphy reviewed the memorandum dated May 9, 2003 noting that the site will be constructed in three phases. Phase one will focus on agriculture, land management, animal husbandry and slave life. This phase will contain a cornfield, orchard, landscaping and two domestic gardens with cows and horses in the area at various times. Phase two will involve the construction of a slave quarter and the relocation of a tenant house at the corner of Botetourt and Nicholson Streets and a tobacco barn from Carter's Grove. Phase three will include a planter's house, corn crib, pig pen, and smoke house. Mrs. Murphy added that the proposed buildings were conceptually approved by the Architectural Review Board at their meeting last night.

Mr. Pons moved that the Commission approve the site plan contingent upon City Council approving the zoning text amendment (PCR #03-08) adding interpretative areas as a permitted use in the Museum Support District MS. Mr. Friend seconded the motion which carried by roll call vote of 3-0-1.

Recorded vote on the motion:

Aye:	Friend, McBeth, Pons
No:	None
Abstain:	Freiling
Absent:	Smith, Young, Hertzler

OLD BUSINESS – None

NEW BUSINESS – None

OTHER

Commissioner Pons asked if, in the future, it might be possible to have a work session prior to the public hearing on a case in order to receive more background information on cases such as the two Colonial Williamsburg proposals presented today. City Attorney Phillips noted that Commissioners are not required to act immediately on a case and could defer a decision until their next meeting in order to hold a work session. Mr. Nester added that included in Commissioner's packets each month is information regarding upcoming public hearings, and if there are any questions or comments staff is always available.

INFORMATION ITEMS

Report from City Council
Planning Department Monthly Report
Monthly Financial Statement

PUBLIC HEARINGS SCHEDULED FOR JUNE 18, 2003

PCR #03-09: Request of Ditlef Olsen to rezone approximately 3.35 acres of land located at 222 Parkway Drive and 300 Third Street from B-3 General Business District to RM-2 Multi-Family Dwelling District. This area is designated as General Commercial land use in the 1998 Comprehensive Plan. It is proposed to construct a three story condominium building. The proposed rezoning would permit 46 units, and the applicant intends to propose vacating (and rezoning) the adjacent Third Street right-of-way, which would allow up to 54 units.

The meeting adjourned at 4:25.

Paul Freiling, Chairman
Williamsburg Planning Commission